

**Scoping Commercial Point System Additions Based on 2010 Regulatory Changes**  
**Possible Submission Date: August 6, 2010**

The purpose of this action is to correct citations and add new points and suspensions to commercial fishing violations. The proposed action fixes inaccurate citations in the point assignment schedule. The action also adds points for specific violations of new crab, aquaculture, oyster, and clamming regulations. The Department has submitted extensive changes to each of these species' regulations. This proposed action adds a penalty to certain violations of these new provisions including:

- Harvesting crabs with a frozen license (Tier II – 10 points and 30 day suspension),
- Harvesting female crabs with a male only limited crab catcher license (Tier II – 10 points and 30 day suspension),
- Being in a prohibited area for clamming including a natural oyster bar, leased area, public shellfish fishery area or sanctuary (Tier I – 5 points, no suspension and Tier II – 10 points, 30 day suspension based on distance in the area), and
- Failure to sell oysters to a buy station (Tier II – 10 points and 30 day suspension).

**Fisheries Service Proposed Suggestions to District Court**  
**for the Natural Resources Fine Schedule:**

- Harvesting crabs with a frozen license - \$650
- Harvesting female crabs with a male only limited crab catcher license - \$650
- Being in a prohibited area for clamming including a natural oyster bar, leased area, public shellfish fishery area or sanctuary – less than 150 feet - \$650/more than 150 feet – must appear
- Failure to notify the Department before dredging in a lease which is surrounded by a sanctuary - \$125
- Adding fill or sediment to a lease - \$500
- Failure to mark gear on a lease – existing fine \$125 – proposed increase to \$250
- Failure to comply with National Shellfish Sanitation Program requirements related to shellfish harvest- \$125
- Selling undersized oysters from a lease - \$650
- Failure to sell oysters to a buy station - \$650

And corrections based on numbering and/or legal wording changes made throughout the past year.